

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6114 OF 2006

M/s. Anuraj Sugars Ltd. ..Petitioner

Vs.

The State of Maharashtra and ors. ..Respondents

Mr. R.G. Ketkar for petitioner.

Mr. A.A. Kumbhakoni, Associate Advocate General with

Mr. N.P. Deshpande, AGP for respondent no.1.

Mr. R.V.Govilkar with Mr. Abhay Patki for respondent
no.3.

Mr. A.V. Anturkar for respondent no.4 - intervener.

CORAM: B.H. MARLAPALLE & J. H. BHATIA, JJ.

Date : November 17, 2006.

P.C.:

1. Heard Mr. Ketkar the learned counsel for the petitioner, Mr. Govilkar the learned counsel appearing for respondent no.3, Mr. Anturkar the learned counsel appearing for respondent no.4 - intervener and Mr. Kumbhakoni the learned Associate Advocate General appears for respondent no.1 - State Authority.

2. The petitioner has impugned the interlocutory

order passed by the Hon'ble Minister for Environment Protection on 5/9/2006 in a pending revision application under the Water (Prevention and Control of Pollution) Act, 1974 challenging the order dated 15/5/2006 passed by the Appellate Authority. By our order dated 18/9/2006 ad-interim relief in terms of prayer clauses (d) and (e) has been granted. It would be, therefore, just and proper that the pending revision application is heard and decided as per law within a specified period. Mr. Kumbhakoni the learned Associate Advocate General agreed that the revision application could be decided within a period of two weeks.

3. We, therefore, direct that the pending revision application in which the impugned interlocutory order has been passed be heard and decided on its own merits as expeditiously as possible and in any case before 3rd December, 2006. The rights and contentions of the respective parties are left open. Undoubtedly, the revision application has to be decided after hearing all the parties concerned, including the interveners who appeared before us.

4. The Ad-interim order passed by this court shall continue to operate till the revision application is decided and the order is communicated to the petitioner.

5. Petition is disposed of in terms of the above directions.

(J.H. Bhatia, J.)

(B.H. Marlapalle, J.)